

### **REMARKS**

In the Office Action mailed May 24, 2005, the drawings were objected to under 37 CFR. § 1.83(a). In the present amendment, Applicant has amended the drawings so that Figs. 1-3 show the outlet 18 and the body 34 with cross hatching that represents stainless steel. Applicant respectfully submits that the amendment to the drawings is made solely to advance prosecution in the case and that doing so does not limit the claims to having the outlet 18 and the body 34 made solely of stainless steel. As disclosed in Applicant's application, the outlet 18 and the body 34 may be made of various materials in accordance with various exemplary embodiments of the present invention. As such, the present amendment to the drawings is made solely to advance prosecution in the case and does not limit the claims of the present application or disclaim any subject matter.

Also in the Office Action, claims 1, 5 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rainin, et al. (US Patent No. 4,139,469).

Claims 1, 2, 5, 7, 8, 10, 11, 13, 16, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Watts Publication in view of the Conbraco Publication that was cited by the Applicant.

Claims 3, 4, 6, 9, 12, 14, 15 and 17 were objected as being dependent upon a rejected base claim, but otherwise allowable if rewritten in independent form to include all of the elements of the base claim in any intervening claims.

Claim 20 was allowed in the Office Action of May 24, 2005.

In the present amendment, Applicant has amended claim 1 in order to call for a back flow preventer with a housing that has an inlet made of a material that is copper

based. This subject matter was indicated as allowable in the Office Action of May 24, 2005. As such, Applicant respectfully submits that claim 1 defines over both Rainin and the combination of the Watts Publication in view of the Conbraco Publication and is in condition for allowance. Further, claims 2 and 4-9 that depend from claim 1 are also in condition for allowance. The rejections or objections to these claims are made moot due to the allowance of claim 1. Applicant has canceled claim 3 from the present application as its subject matter was incorporated into claim 1.

Applicant has amended claim 10 in order to call for a backflow preventer with a housing that has an inlet surface made of a first material that is copper based. This subject matter was indicated as allowable in the Office Action mailed May 24, 2005 and as such Applicant respectfully submits that claim 10 defines over Rainin and the combination of the Watts Publication in view of the Conbraco Publication and is in condition for allowance. Further, claims 11-13 and 15-19 that depend from claim 10 are also in condition for allowance as the rejections or objections to these claims are rendered moot due to the allowance of claim 10. Claim 14 was canceled as its subject matter was incorporated into claim 10.

Applicant has added new claims 21 and 22 to further define the invention.

With the present amendment Applicant respectfully submits that all claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions concerning this matter or require any additional information.

Respectfully submitted,

DORITY & MANNING,  
ATTORNEYS AT LAW, P.A.

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Date

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